

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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w/c

In re Patent Application of

Atty SCS-124-1117

Dkt.

C# M#

LEWIN et al.

TC/A.U. 3662

Serial No. 10/534,498

Examiner: T. Brainard

Filed: May 10, 2005

Date: March 19, 2009

Title: RANGING APPARATUS



Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE/AMENDMENT/LETTER**

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 **Correspondence Address Indication Form Attached.****Fees are attached as calculated below:**

Total effective claims after amendment	52	minus highest number	
previously paid for	63	(at least 20) =	0 x \$52.00
			\$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment	1	minus highest number	
previously paid for	3	(at least 3) =	0 x \$220.00
			\$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add  
\$390.00 (1203)/\$195.00 (2203) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this  
paper and attachment(s)

One Month Extension	\$130.00 (1251)/\$65.00 (2251)
Two Month Extensions	\$490.00 (1252)/\$245.00 (2252)
Three Month Extensions	\$1110.00 (1253)/\$555.00 (2253)
Four Month Extensions	\$1730.00 (1254)/\$865.00 (2254)
Five Month Extensions	\$2350.00 (1255)/\$1175.00 (2255) \$

Terminal disclaimer enclosed, add	\$140.00 (1814)/ \$70.00 (2814) \$	140.00
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Applicant claims "small entity" status.  Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee	\$180.00 (1806) \$	0.00
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Assignment Recording Fee	\$40.00 (8021) \$	0.00
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Other:	\$	0.00
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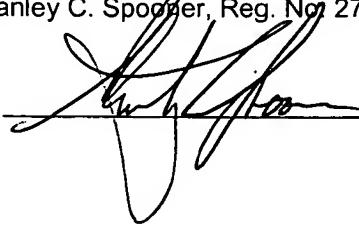
<b>TOTAL FEE</b>	<b>\$ 140.00</b>
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 **CREDIT CARD PAYMENT FORM ATTACHED.**

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140.

901 North Glebe Road, 11th Floor  
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Telephone: (703) 816-4000  
Facsimile: (703) 816-4100  
SCS:kmm

NIXON & VANDERHYE P.C.  
By Atty: Stanley C. Spooner, Reg. No. 27,393

Signature: 



**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of

LEWIN et al.

Atty. Ref.: 124-1117; Confirmation No. 4702

Appl. No. 10/534,498

TC/A.U. 3662

Filed: May 10, 2005

Examiner: T. Brainard

For: RANGING APPARATUS

\* \* \* \* \*

March 19, 2009

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE**

This is responsive to the Official Action mailed December 19, 2008 (Paper No. 20081215), the date of response to which is March 19, 2009.

Claims 1-5, 7-32 and 34-54 stand rejected in the outstanding Official Action on the grounds of non-statutory obviousness-type double patenting over co-pending Application Serial No. 10/534,495 and co-pending Application Serial No. 10/534,494 (which issued on December 2, 2008 as US Patent 7,459,670), both of which were filed on the filing date of the present application, i.e., May 10, 2005. Applicant encloses herewith a Terminal Disclaimer disclaiming in the present application, and in co-pending Application Serial No. 10/534,495, any term extending beyond the term of Patent No. 7,459,670. Entry of the attached Terminal Disclaimer is believed to obviate all pending rejections of the presently claimed invention or in co-pending

LEWIN et al.  
Appl. No. 10/534,498  
March 19, 2009

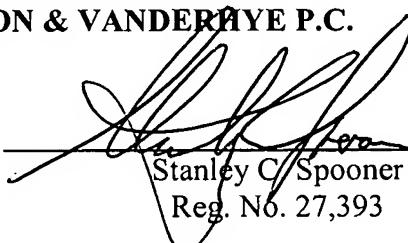
Application Serial No. 10/534,495 over the issued United States Patent 7,459,670, thereby obviating any further objection or rejection of the claims.

Having responded to all objections and rejections set forth in the outstanding Official Action, it is submitted that claims 1-5, 7-32 and 34-54 are in condition for allowance and notice to that effect is respectfully solicited. In the event the Examiner is of the opinion that a brief telephone or personal interview will facilitate allowance of one or more of the above claims, the Examiner is respectfully requested to contact Applicants' undersigned representative.

Respectfully submitted,

**NIXON & VANDERHYE P.C.**

By:

  
Stanley C. Spooner  
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